

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION**

<b>JAMES R. BARNES and wife, DOROTHY G.</b>	)	<b>File No. 5:98-CV-92</b>
<b>BARNES, <i>et al.</i>,</b>	)	
	)	
<b>This document pertains to:</b>	)	
<b>BARNEY MERRILL GRANT and wife</b>	)	
<b>HAZEL GRANT; and BENJAMIN G.</b>	)	
<b>GROGAN and wife, HELEN D. GROGAN,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>v.</b>	)	
	)	
<b>ACandS, INC., et al.,</b>	)	
	)	
<b>Defendants.</b>	)	

**ORDER**

**THIS MATTER** is before the Court on the joint motion of Plaintiffs, Barney Merrill Grant and wife, Hazel Grant, and Benjamin G. Grogan and wife, Helen D. Grogan, and Defendant, A.W. Chesterton Company, to dismiss.

It appearing that grounds exist to permit said Plaintiffs to do so,

**IT IS, THEREFORE, ORDERED, ADJUDGED, and DECREED** that the joint motion to dismiss is **ALLOWED**, and the claims of Plaintiffs Barney Merrill Grant and wife, Hazel Grant, and Benjamin G. Grogan and wife, Helen D. Grogan, against Defendant, A.W. Chesterton Company, are hereby **DISMISSED WITHOUT PREJUDICE**.

Signed: February 27, 2007

A handwritten signature in dark ink, appearing to read "Lacy H. Thornburg", written over a horizontal line.

Lacy H. Thornburg  
United States District Judge

